

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

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|---------------------------------|--------------------------------|
| IN RE: | : CASE NO: 17-54050-WLH |
| | : CHAPTER: 13 |
| | : |
| LISA CHAMBERS GARDNER | : |
| Debtor | : |
| ----- | ----- |
| BANK OF AMERICA, N.A., | : |
| Movant, | : |
| | : CONTESTED MATTER |
| vs. | : |
| | : |
| LISA CHAMBERS GARDNER | : |
| NANCY J. WHALEY, Trustee | : |
| Respondents. | : |

OBJECTION TO CONFIRMATION

COMES NOW, Bank of America, N.A., its successors or assigns, (hereinafter referred to as "Movant") and shows the Court that for reasons set out below, Movant objects to the confirmation of the Debtor's Plan;

1.

Movant timely filed its Proof of Claim on May 1, 2017 (*see* Claim No. 2), listing arrearages totaling \$2,176.83. The Debtor's Plan fails to provide adequate protection to Movant relative to a property located at 111 FOREST RD, JACKSON, GA 30233 (the "Property") in violation of 11 U.S.C. § 362. The Plan indicates there were no arrearages as of the filing of the instant case. Therefore, the Plan in its current form lacks feasibility and as such, Movant objects to confirmation of the plan in its current form.

WHEREFORE, Bank of America, N.A., its successors or assigns, prays that this Court inquire as to the matters raised herein and deny confirmation of the Debtor's Plan, or enter such orders and require such further inquiry as may appear appropriate to the Court.

Dated: 5/8/17

/s/ Lisa F. Caplan

Lisa F. Caplan

GA State Bar No. 001304

Rubin Lublin, LLC

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Attorney for Creditor

CERTIFICATE OF SERVICE

I, Lisa F. Caplan of Rubin Lublin, LLC certify that on the 8th day of May, 2017, I caused a copy of the Objection to Confirmation to be filed in this proceeding by electronic means and to be served by depositing a copy of the same in the United States Mail in a properly addressed envelope with adequate postage thereon to the said parties as follows:

Lisa Chambers Gardner
275 Butlers Bridge Drive
McDonough, GA 30252

Darrel L. Hopson, Esq.
Darrel L. Hopson, P.C.
109 Stockbridge Road
Jonesboro, GA 30237

Nancy J. Whaley, Trustee
303 Peachtree Center Avenue, Suite 120
Atlanta, GA 30303

Executed on: 5/8/17
By: /s/ Lisa F. Caplan
Lisa F. Caplan
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